

WASHINGTON'S LOBBYIST DISCLOSURE LAW: A DIFFERENT DEFINITION OF LOBBYING

Like most states and the federal government, the state of Washington has a law that requires lobbyists to register with the government and report their activities on a regular basis. The laws apply to people that lobby for nonprofit organizations as well as for-profit corporate lobbyists. Washington's law exempts some people from the registration and reporting requirements — people who lobby as unpaid volunteers, people who lobby no more than four days in any three month period, etc. Other lobbyists must register and make regular reports to the Washington State Public Disclosure Commission.

The definition of "lobbying" for purposes of disclosure laws frequently differs from the definition under the federal tax code. For example, the federal Lobbying Disclosure Act uses a different definition of lobbying, although the law permits public charities that have made the election under 501(h) to use the tax code definition. The Washington state law, however, requires public charities to report different activities as lobbying than those defined as lobbying for purposes of the federal limits on lobbying expenditures. Some of the key differences in the two definitions of lobbying include:

Washington State Law	Federal Tax Code
Only applies to attempts to influence legislation at the state level, not the federal or local levels.	Applies to activities at the federal, state, and local level.
Lobbying includes attempts to influence rulemaking by administrative agencies.	Attempts to influence rulemaking by administrative agencies are not considered lobbying.
No communications to the members of your organization are reportable as lobbying.	While some communications to the members of the organization are not considered lobbying, some may be direct, or even grass roots, lobbying.
Grass roots lobbying is defined as a communication to the public of which a substantial portion is primarily intended to influence legislation.	Grass roots lobbying requires a "call to action."
Grass roots lobbying expenditures that do not exceed \$500 in any three months or \$200 in any one month are not reportable.	All grass roots lobbying expenditures count against an organization's overall limits on grass roots lobbying.

Details on Washington's lobbying disclosure law are available from:

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